

PROCEEDINGS OF THE COMMON COUNCIL
IN REGULAR SESSION
TUESDAY, MARCH 27 1984

CITY OF FORT WAYNE, INDIANA
JOURNAL OF THE PROCEEDINGS
OF THE COMMON COUNCIL

THE COMMON COUNCIL OF THE CITY OF FORT WAYNE MET IN THE
COUNCIL CHAMBERS Tuesday EVENING March 27 A.D., 19⁸⁴,
IN Regular SESSION. PRESIDENT Ben A. Eisbart
IN THE CHAIR, COUNCIL ATTORNEY Stanley A. Levine, AND
Sandra E. Kennedy CLERK, AT THE DESK, PRESENT THE FOLLOWING
MEMBERS VIZ:

BRADBURY P, BURNS P, EISBART P,
GiaQUINTA P, HENRY P, REDD P,
SCHMIDT P, STIER P, TALARICO P,

ABSENT: _____

COUNCILMAN: _____, _____, _____

THE INVOCATION WAS GIVEN BY _____

THE MINUTES OF THE LAST REGULAR March 13, 19⁸⁴,

_____, 19_____,

SPECIAL _____, 19_____,

SESSION HAVING BEEN DELIVERED TO THE COUNCIL, WERE, ON MOTION, APPROVED
AND PUBLISHED.



The City of Fort Wayne

Office of the Mayor

March 14, 1984

To the Common Council
Fort Wayne, Indiana

Gentlemen and Mrs. Bradbury:

Today, March 14, 1984, I have approved the following ordinances and resolutions passed by the Common Council at its regular meeting of March 13, 1984.

(Bill No. S-84-02-42)
SPECIAL ORDINANCE NO. S-22-84

AN ORDINANCE approving Civil City Purchase Order Number A-25855 with Summit City Truck Repair, Inc., for the Fire Department of the City of Fort Wayne, Indiana

(Bill No. S-84-02-43)
SPECIAL ORDINANCE NO. S-23-84

AN ORDINANCE approving Civil City Purchase Order Number A-30914 with Wendell Construction, Inc., for the Community Development and Planning Department of the City of Fort Wayne, Indiana

(Bill No. S-84-02-44)
SPECIAL ORDINANCE NO. S-24-84

AN ORDINANCE approving Civil City Purchase Order Number A-31127 with U.S. Standard Sign Company, for the Traffic Engineering Department of the City of Fort Wayne, Indiana

(Bill No. R-84-02-46)
DECLARATORY RESOLUTION NO. R-38-84

A DECLARATORY RESOLUTION confirming the designations of "Economic Revitalization Areas" under I.C. 6-1.1-12.1

(Bill No. R-84-02-51)
RESOLUTION NO R-39-84

A RESOLUTION authorizing the sale of real property located within an Urban Renewal Area to the Fort Wayne Redevelopment Commission

(Bill No. R-84-03-01)
DECLARATORY RESOLUTION NO. R-40-84

A DECLARATORY RESOLUTION designating an "Economic Revitalization Area" under I.C. 6-1.1-12.1

(Bill No. R-84-03-03)
DECLARATORY RESOLUTION NO. R-41-84

A DECLARATORY RESOLUTION designating an "Economic Revitalization Area" under I.C. 6-1.1-12.1

(Bill No. R-84-03-05)
DECLARATORY RESOLUTION NO. R-42-84

A DECLARATORY RESOLUTION designating an "Economic Revitalization Area" under I.C. 6-1.1-12.1

(Bill No. R-84-03-07)
DECLARATORY RESOLUTION NO. R-43-84

A DECLARATORY RESOLUTION designating an "Economic Revitalization Area" under I.C. 6-1.1-12.1

(Bill No. S-84-02-40)
SPECIAL ORDINANCE NO. S-20-84

AN ORDINANCE approving City Utilities Purchase Order Number A-33489 with Westvaca (U.S. Envelope), for the Office Services Department of the City of Fort Wayne, Indiana

(Bill No. S-84-02-41)
SPECIAL ORDINANCE NO. S-21-84

AN ORDINANCE approving City Utilities Purchase Order Number A-33488 with Eaglebrook Environmental, Inc., for the Water Pollution Control Plant of the City of Fort Wayne, Indiana

(Bill No. S-84-02-47)
SPECIAL ORDINANCE NO. S-25-84

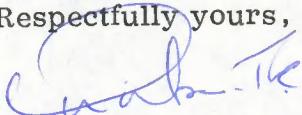
AN ORDINANCE approving Change Order #1 - Res. 394-83, Baer Field West Air Traffic Control Tower, with Scheidleman Excavating, Inc., in connection with the Board of Public Works

(Bill No. S-84-02-48)
SPECIAL ORDINANCE NO. S-26-84

AN ORDINANCE approving Change Order #1 Wallywood Storm Sewer, Res. 890-83, with T-G Excavating, Inc., in connection with the Board of Public Works

(Bill No. S-84-02-49)
SPECIAL ORDINANCE NO. S-27-84

AN ORDINANCE approving a Contract by the City of Fort Wayne by and through its Board of Public Works and Scheidleman Excavating, Inc., for Centennial Park Sanitary Sewer, Res. #396-83

Respectfully yours,


Win Moses, Jr.
Mayor



THE CITY OF FORT WAYNE
DIVISION OF LAND USE MANAGEMENT
Department of Community Development & Planning

9 March 1984

COMMUNICATIONS FROM THE CITY PLAN COMMISSION

The Common Council of the
City of Fort Wayne
City-County Building
One Main Street
Fort Wayne, In 46802

Gentlemen and Mrs. Bradbury:

Attached hereto is the recommendation of the City Plan Commission on one (1) ordinance concerning the vacation of a portion of a dedicated street.

The proposed ordinance is designated as:

Bill No. G-84-02-28

Respectfully submitted,

CITY PLAN COMMISSION

Melvin O. Smith
Secretary

Certified and signed this
9th day of March 1984.





THE CITY OF FORT WAYNE
DIVISION OF LAND USE MANAGEMENT
Department of Community Development & Planning

9 March 1984

Members of the Common Council
City-County Building
One Main Street
Fort Wayne, IN 46802

Gentlemen and Mrs. Bradbury:

Attached hereto is a resolution pertaining to one (1) portion of a street vacation ordinance acted upon by the City Plan Commission at their regular meeting held March 5, 1984. In addition to the reasons outlined in the resolution, the following are additional remarks pertaining to the ordinance involved.

1. Bill No. G-84-02-28
2. Intended Use: Expansion of the News Sentinel Building is encroaching in street, this will alleviate the encroachment.
3. Plan Commission Recommendation: DO PASS

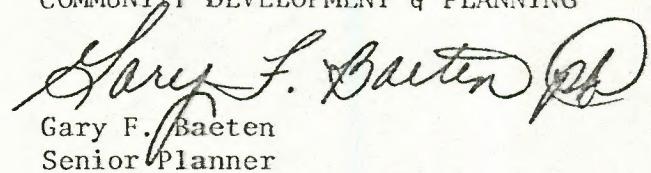
This ordinance received a DO PASS recommendation for the following reason:

REASON: There were no objections raised by adjacent or nearby property owners.

If there are any questions with regard to this ordinance, please feel free to call on us.

Respectfully submitted,

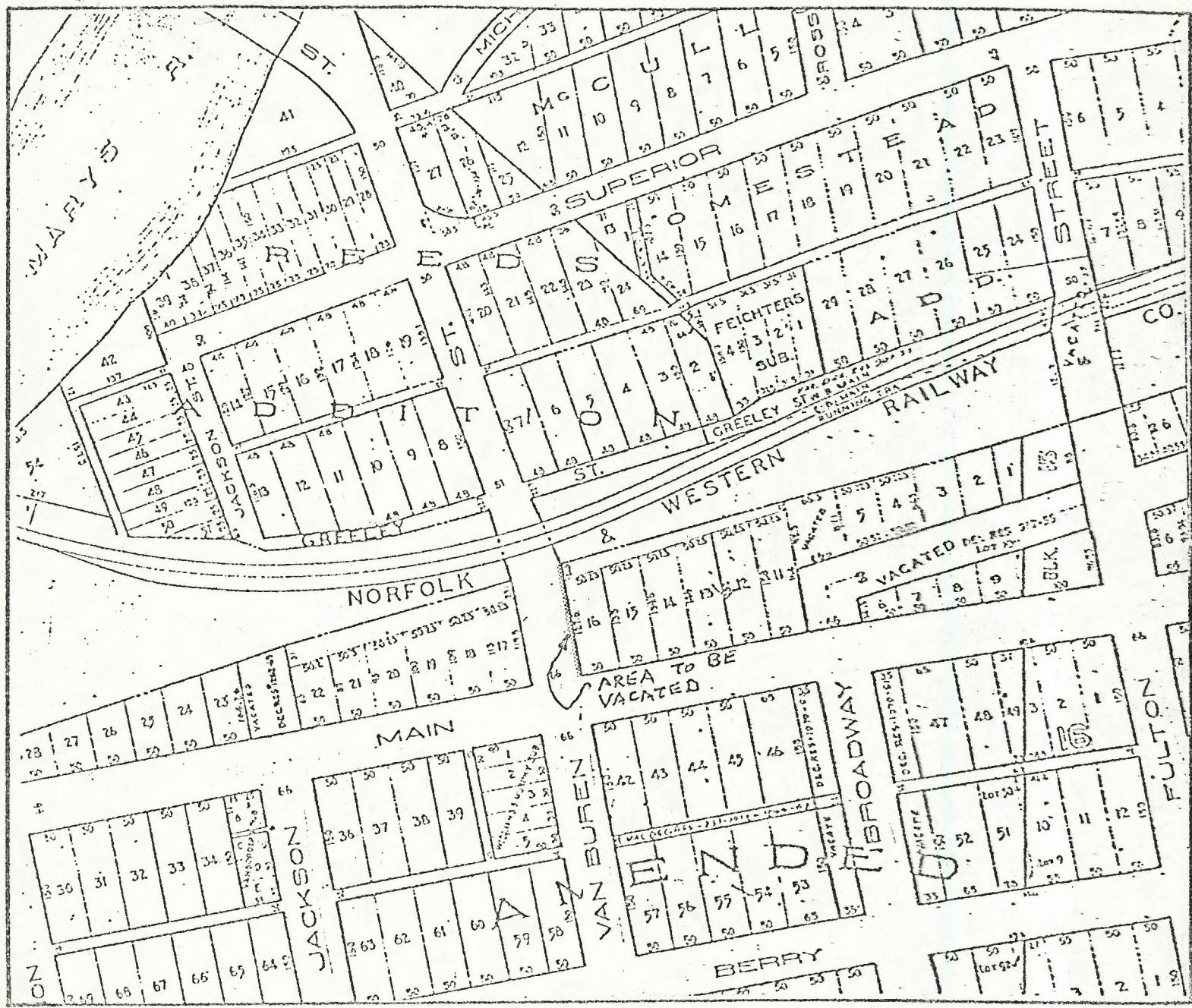
COMMUNITY DEVELOPMENT & PLANNING


Gary F. Baeten
Senior Planner

GFB:pb

Attachments





A PETITION TO VACATE THE ABOVE DESCRIBED
PORTION OF PROPERTY.

MAP NO. L-6

6-84-0d-38

R E S O L U T I O N

WHEREAS, NORFOLK SOUTHERN CORPORATION has petitioned and requested the Fort Wayne City Plan Commission to hold a public hearing upon the vacation of the following portion of public street situated in Fort Wayne, Allen County, to-wit:

Commencing at the Southwest corner of said Lot 16, Rockhill's Amended Addition, at a chisel cross set in the concrete walk; thence Northerly on the Westerly line of said Lot 16 and its extension Northerly, a distance of 140.8 feet (140.7 feet Mortgage Record) to a pin set on the North line of the portion of the former Wabash and Erie Canal aforesaid; thence Southwesterly by a deflection left of 96 degrees 25.5 minutes on the line aforesaid, a distance of 1.006 feet; thence Southerly, a distance of 140.69 feet, more or less, to a point on the South line of Lot 16 projected Westerly; thence Easterly on the line aforesaid, a distance of 1.0 feet to the point of beginning, containing 140.74 square feet, more or less

all in accordance with the terms of Section 44, Chapter 174 of the Acts of 1947, of the General Assembly of the State of Indiana, as amended by Section 3 of Chapter 385 of the Acts of 1963 of the General Assembly of the State of Indiana, Indiana Code, Section 36-7-4-512.

WHEREAS, notice of such public hearing has been given by due and property publication thereof; and,

WHEREAS, said public hearing was held on February 13, 1984 at 7:00 P.M., and at such hearing there were no objections of any kind or character which should prevent the vacation of said portion of public street.

WHEREAS, said vacation of the portion of public street has been routed through the following departments: Street Engineering, Traffic Engineering, Water Engineering, Water Pollution Control Engineering, Street Light Engineering, Park Board and through the Public Utility Companies.

NOW THEREFORE, BE IT RESOLVED by the Fort Wayne City Plan Commission that the vacation of said portion of public street hereinbefore described conforms to the general policy pattern of development set out in the Master Plan of the City of Fort Wayne, Indiana;

BE IT FURTHER RESOLVED by the Fort Wayne City Plan Commission that the vacation of said portion of public street hereinbefore described be and the same is hereby approved.

BE IT FURTHER RESOLVED no public utility occupying and using said portion of public street or part thereof for the vacation and operation of its utility facilities shall be deprived of said use on account of these proceedings unless any said utility shall file a written consent to said vacation.

BE IT FURTHER RESOLVED that the action of the Fort Wayne City Plan Commission be forwarded to the proper governing body having jurisdiction of the vacation of said portion of public street in Allen County, Indiana.

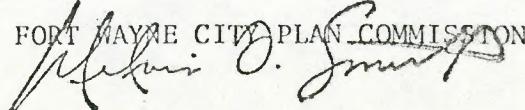
STATE OF INDIANA)

) SS:

COUNTY OF ALLEN)

I, Melvin O. Smith, Secretary of the Fort Wayne City Plan Commission, do hereby certify that attached is a full, true and correct copy of a resolution adopted by the Fort Wayne City Plan Commission following a public hearing of said Commission held March 5, 1984, and as the same appears of record in the official records of said Plan Commission.

DATED THIS 9th DAY OF March 1984

FORT WAYNE CITY PLAN COMMISSION


Melvin O. Smith, Secretary

RESOLUTION NO. 74-7-11

WHEREAS, NORFOLK SOUTHERN CORPORATION has petitioned and requested the Fort Wayne City Plan Commission to hold a public hearing upon the vacation of the following portion of public street situated in Fort Wayne, Allen County, to-wit:

Commencing at the Southwest corner of said Lot 16, Rockhill's Amended Addition, at a chisel cross set in the concrete walk; thence Northerly on the Westerly line of said Lot 16 and its extension Northerly, a distance of 140.8 feet (140.7 feet Mortgage Record) to a pin set on the North line of the portion of the former Wabash and Erie Canal aforesaid; thence Southwesterly by a deflection left of 96 degrees 25.5 minutes on the line aforesaid, a distance of 1.006 feet; thence Southerly, a distance of 140.69 feet, more or less, to a point on the South line of Lot 16 projected Westerly; thence Easterly on the line aforesaid, a distance of 1.0 feet to the point of beginning, containing 140.74 square feet, more or less

all in accordance with the terms of Section 44, Chapter 174 of the Acts of 1947, of the General Assembly of the State of Indiana, as amended by Section 3 of Chapter 385 of the Acts of the General Assembly of the State of Indiana, Indiana Code Section 36-7-4-512; and,

WHEREAS, notice of such public hearing has been given by due and proper publication thereof;

WHEREAS, said vacation of a portion of a public street has been routed through the following departments: Street Engineering, Traffic Engineering, Water Engineering, Water Pollution Control Engineering, Electrical Engineering, Park Board and through the Public Utility Companies.

NOW THEREFORE, BE IT RESOLVED by the Fort Wayne Board of Public Works that the vacation of said portion of public street hereinbefore described conforms to the general policy and pattern of development set out in the Master Plan of the City of Fort Wayne, Indiana.

BE IT FURTHER RESOLVED by the Board of Public Works that the vacation of said portion of public street hereinbefore described be and the same is hereby approved subject to easements as required by all public utilities occupying and using said portion of public street or part thereof for the vacation and operation of its utility facilities shall not be deprived of said use on account of these proceedings unless any said utilities shall file a written consent to said vacation.

STATE OF INDIANA)

) SS:

COUNTY OF ALLEN)

I, David J. Kiester, Chairman of the Board of Public Works, do hereby certify that attached hereto is a full, true and correct copy of a resolution adopted by the Fort Wayne Board of Public Works at their meeting held March 14, 1984 and as same appears of record in the official records of said Board of Public Works.

DATED THIS 14th DAY OF March, 1984

FORT WAYNE BOARD OF PUBLIC WORKS

David J. Kiester
David J. Kiester, Chairman

Betty R. Collins, Member

Frank W. Heyman, Member

President of the Common Council
City of Fort Wayne, Indiana

Gentlemen and Mrs. Bradbury:

Attached herewith are authenticated copies of the Board of
Public Safety Regulatory Resolution Number: 26/84/E

For the purpose of enforcement, please make this communication
and the attached Regulatory Resolution a matter of record and
incororate it into the minutes of the next Common Council
Meeting.

Respectfully submitted,

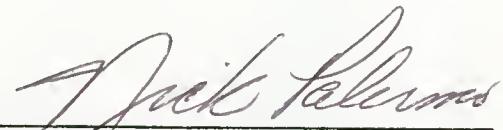


Nick Palermo, Chairman
Board of Public Safety

R E T U R N C E R T I F I C A T E

(Regulatory Resolution No. 26/84/E)

I hereby certify that I did this 21st day of
March, 1984 deliver to each, the City Traffic
Engineer, the Chief of Police, the City Attorney, the City
Clerk and the President of the Common Council of the City
of Fort Wayne, Indiana respectively, a copy of the within
Regulatory Resolution No. 26/84/E of the Board of Public
Safety of the City of Fort Wayne, duly certified by me as
Chairman of said Board, in accordance with the provisions
of Section 17-4 of Chapter 17, of the Code of the City of
Fort Wayne, Indiana 1974.



CHAIRMAN, Board of Public Safety

REGULATORY RESOLUTION NO. 26/84/E

(Adopted March 21, 1984)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 authorizes the Board of Public Safety to make temporary or experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Temporary Experimental Regulation hereinafter ordered, with

regard to RENEW & EXTEND REG. RES. 5/84/E: IMPAIRED MOBILITY
PARKING (COMMERCIAL) (EMERGENCY)

: AND,

WHEREAS, the City Traffic Engineer has, by written memorandum dated March 20, 1984, submitted to this Board his advice with regard to the regulation herein adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective

March 21, 1984, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

IMPAIRED MOBILITY PARKING (COMMERCIAL) (EMERGENCY)

Pro Bowl West - 1455 Goshen Road -- from a point .860 ft. south of the south property line of Goshen Avenue (one additional parking stall in southwest corner of parking lot)
St. Joseph's Medical Office Building-- ten total parking stalls per attached map (eight on the first floor, one on the second floor, and one on the third floor.)
Parking Garage - 800 Broadway

R E T U R N C E R T I F I C A T E

(Regulatory Resolution No. 24/84/E
25/84 E)

I hereby certify that I did this 19th day of
March, 1984 deliver to each, the City Traffic
Engineer, the Chief of Police, the City Attorney, the City
Clerk and the President of the Common Council of the City
of Fort Wayne, Indiana respectively, a copy of the within
Regulatory Resolution No. 24/84/E
25/84 E of the Board of Public
Safety of the City of Fort Wayne, duly certified by me as
Chairman of said Board, in accordance with the provisions
of Section 17-4 of Chapter 17, of the Code of the City of
Fort Wayne, Indiana 1974.

Dick Palmer

CHAIRMAN, Board of Public Safety

REGULATORY RESOLUTION NO. 24/84E

(Adopted March 19, 1984)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 authorizes the Board of Public Safety to make temporary or experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Temporary Experimental Regulation hereinafter ordered, with regard to SPEED LIMIT 35 (EMERGENCY); DELETE: SPEED LIMIT 40 (EMERGENCY) and SPEED LIMIT 45 (EMERGENCY)

: AND,

WHEREAS, the City Traffic Engineer has, by written memorandum dated March 14, 1984, submitted to this Board his advice with regard to the regulation herein adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective

March 19, 1984, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

SPEED LIMIT 35 (EMERGENCY)

Crescent Avenue -- from Anthony Boulevard to Coliseum Boulevard

DELETE:

SPEED LIMIT 40 (EMERGENCY)

Crescent Avenue -- from 200' northeast of Anthony Boulevard to 400' northeast of Springfield Avenue

SPEED LIMIT 45 (EMERGENCY)

Crescent Avenue -- from 400' northeast of Springfield Avenue to Coliseum Boulevard

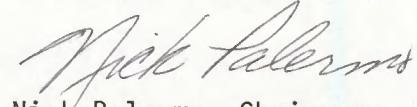
President of the Common Council
City of Fort Wayne, Indiana

Gentlemen and Mrs. Bradbury:

Attache herewith are authenticated copies of the Board of
Public Safety Regulatory Resolution Numbers: 24/84/E
25/84/E

For the purpose of enforcement, please make this communication
and the attached Regulatory Resolutions a matter of record and
incorporate them into the minutes of the next Common Council
Meeting.

Respectfully submitted,



Nick Palermo, Chairman
Board of Public Safety

REGULATORY RESOLUTION NO. 25/84/E

(Adopted March 19, 1984)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 authorizes the Board of Public Safety to make temporary or experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Temporary Experimental Regulation hereinafter ordered, with regard to RENEW & EXTEND REG. RES. 4/84/E: NO PARKING

(EMERGENCY)

: AND,

WHEREAS, the City Traffic Engineer has, by written memorandum dated March 14, 19 84, submitted to this Board his advice with regard to the regulation herein adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective

March 19, 19 84, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

NO PARKING

(EMERGENCY)

Downing Avenue -- south side -- from Fairfield Avenue to 250 ft. east thereof

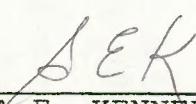
THE COUNCIL THEN ADJOURNED.

CERTIFICATE

I hereby certify that I am the duly elected, acting and incumbent City Clerk of Fort Wayne, Indiana and as such the custodian of the records of the Common Council of said City and that the above and foregoing is the true, full and complete record of the proceedings of the Common Council of the City of Fort Wayne, Indiana for its

Regular Session, held on Tuesday, March 27, 1984,
the 27th day of March, 1984,
that the numbered ordinances and resolutions shown therein were duly adopted by said Common Council on said date and were presented by me to the Mayor of the City of Fort Wayne and were signed and approved or disapproved by said Mayor as and on the dates shown as to each such ordinance and resolution respectively; and that all such records, proceedings, ordinances, and resolutions remain on file and record in my office.

WITNESS my hand and the official seal of the City of Fort Wayne, Indiana, this 30 day of March, 1984,


SANDRA E. KENNEDY, CITY CLERK